

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Glenn Shankle, *Executive Director*



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 14, 2007

CHIEF CLERKS OFFICE

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: Travis County District Court's "Order on Motion to Reconsider Order to Remand to Agency to Consider Material New Evidence" in the matter of Consideration of a Petition from Lerin Hills Development Company LLC for the Creation of Lerin Hills Municipal Utility District; TCEQ Docket No. 2006-0969-DIS.

This letter is in response to the above-referenced Order issued by Judge Jeanne Meurer on December 4, 2007. The Order remands the matter to the TCEQ (Commission) to allow Tapatio Springs Service Company, Lee Roy and John Hahnfeld, and Edgar W. Blanch, Jr. (collectively, Plaintiffs) to present additional evidence on the use of groundwater and Plaintiffs' status as affected persons. The Order stays the District Court proceedings for a period of 90 days to allow further action by the Commission and states that the Commission shall file such evidence and modifications, new findings, or decisions with the Court.

The Plaintiffs are hereby notified that they are encouraged to file a brief with accompanying evidence authorized by the Court's Order with the Chief Clerk's Office no later than **5:00 p.m. on Friday, January 11, 2008**. Lerin Hills, the Executive Director, and the Office of Public Interest Counsel are encouraged to respond to the brief and accompanying evidence no later than **5:00 p.m. on Thursday, January 31, 2008**. Any reply by the Plaintiffs shall be due no later than **5:00 p.m. on Friday, February 15, 2008**.

In addition, the Office of General Counsel hereby sets this matter on the Texas Commission on Environmental Quality's public meeting agenda for **Wednesday, February 27, 2008**, beginning at **1:00 P.M.**, pursuant to the Commission's Resolution issued on August 14, 2006 in Docket No. 2006-0973-RES. The meeting will take place in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas.

The Commission will take oral argument on this matter. The Plaintiffs should be prepared to present the item to the Commission and will have five minutes of oral argument time. Lerin Hills, the Executive Director, and the Office of Public Interest Counsel will each have five minutes of oral argument time. The Plaintiffs may save some of their time for rebuttal.

If you have any questions about this matter, please contact Tracy Gross, Assistant General Counsel, at (512) 239-1736.

Respectfully,

A handwritten signature in black ink, appearing to read "Les Trobman", written over a horizontal line.

Les Trobman  
General Counsel

Mailing List

Mailing List  
Lerin Hills Municipal Utility District  
TCEQ Docket No. 2006-0969-DIS

David Frederick  
Richard W. Lowerre  
Marisa Perales  
Lowerre & Frederick  
44 East Ave., Suite 100  
Austin, Texas 78701  
512/469-6000 FAX 512/482-9346

Thomas H. Watkins  
Danny G. Worrell  
Brown McCarroll, L.L.P.  
111 Congress Ave., Suite 1400  
Austin, Texas 78701-4043  
512/472-5456 FAX 512/479-1101

Grady B. Jolley  
Nunley Davis Jolley Cluck Aelvoet LLP  
1580 S. Main St., Suite 200  
Boerne, Texas 78006-3311  
830/816-3333 FAX 830/816-3388

Patrick W. Lindner  
Davidson & Trollo PC  
7550 W. IH-10, Suite 800  
San Antonio, Texas 78229-5803  
210/349-6484 FAX 210/349-0041

Priscilla Hubernak  
Tony Grigsby  
Natural Resources Division  
Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548  
512/4632012 FAX 512/463-2063

Joe Morris  
The Honorable Jeff Wentworth  
Capitol Bldg. Rm. JE.9  
P.O. Box 12068  
Austin, Texas 78711-2068

Joan & Lee Roy Hahnfeld  
306 State Highway 46 W.  
Boerne, Texas 78006-8104

Gregory Charles  
TCEQ Water Quality Division MC 148  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3581 FAX 512/239-4114

Christiaan Siano  
TCEQ Environmental Law Division MC 173  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0600 FAX 512/239-0606

Garrett Arthur  
TCEQ Office of Public Interest Counsel MC 103  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-6363 FAX 512/239-6377

Docket Clerk  
TCEQ Office of Chief Clerk MC 105  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-3300 FAX 512/239-3311

Bridget Bohac  
TCEQ Office of Public Assistance MC 108  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-4000 FAX 512/239-4007

Kyle Lucas  
TCEQ Alternative Dispute  
Resolution Program MC 222  
P.O. Box 13087  
Austin, Texas 78711-3087  
512/239-0687 FAX 512/239-4015